REMARKS

Status of Claims

Claims 1–16 and 28–29 remain pending in this application. Claims 1, 5-7, and 28, are

amended. Reconsideration of the application is respectfully requested in view of the above

amendments and the following remarks.

Interview Summary

Applicant thanks Examiner Stork for granting and conducting the interview on 15 August

2007 and for considering the reasons applicants invention is distinct from Applicant Admitted

Prior Art (AAPA).

Applicant presented reasons a *prima facie* case of obviousness was not made using

AAPA. For instance, AAPA expressly states that prior art solutions failed to provide delegation.

Applicant's specification at pp. 1-4. Applicant respectfully disagreed with the Examiner's

interpretation of the AAPA; accordingly, no agreement was reached.

Rejection under 35 U.S.C. §103(a)

A.)   Applicable Authority

Title 35 U.S.C. § 103(a) declares, a patent shall not issue when "the differences between

the subject matter sought to be patented and the prior art are such that the subject matter as a

whole would have been obvious at the time the invention was made to a person having ordinary

skill in the art to which said subject matter pertains." The Supreme Court in Graham v. John

Deere counseled that an obviousness determination is made by identifying: the scope and content

of the prior art; the level of ordinary skill in the prior art; the differences between the claimed

invention and prior art references; and secondary considerations. *Graham v. John Deere Co.*,

383 U.S. 1 (1966). To support a finding of obviousness, the initial burden is on the Office to

139396v2

apply the framework outlined in *Graham* and to provide some reason, or suggestions or motivations found either in the prior art references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the prior art reference or to combine prior art reference teachings to produce the claimed invention. See, *Application of Bergel*, 292 F. 2d 955, 956-957 (1961). Recently, the Supreme Court elaborated, at pages 13-14 of the *KSR* opinion, it will be necessary for [the Office] to look at interrelated teachings of multiple [prior art references]; the effects of demands known to the design community or present in the marketplace; and the background knowledge possessed by [one of] ordinary skill in the art, all in order to determine whether there was an apparent reason to combine the known elements in the fashion claimed by the [patent application]." *KSR v. Teleflex*, No. 04-1350, 550 U.S. ___ (2007).

B.)   Obviousness Rejection Based on U.S. Patent No. 6,343,377 ("Gessner") in view of Applicant's Admitted Prior Art (AAPA), Applicant's Specification: pages 1-4.

Claims 1 and 28 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Gessner in view of AAPA. Applicant respectfully traverses this rejection because the prior art fails to teach or suggest all elements of the claims 1 and 28.

It is respectfully submitted that the cited prior art, including Gessner and AAPA, fails to teach or suggest, among other things, *(1) the external component rendering behavior and the external component layout behavior are one of an attached behavior or an element behavior; (2) participation includes the at least one external component delegating a portion that is less than all of a processing of the behaviors of the same category to the core engine; and (3) an output medium to render and layout visual elements as a result of the participation among the markup language core engine and the at least one external component*; as recited in amended independent claims 1 and 28.

The Office relies upon AAPA and Gessner, at FIG. 4, and col. 3, ll. 21–col. 4, ll. 13, to render the invention of independent claims 1 and 28 unpatentable. The cited portions of Gessner describe a browser that transfers all control to a replaceable software delegate to provide specified functionality. Gessner expressly indicates that the software delegate is self-contained. Nothing in the cited portions of Gessner discloses a delegate that participates with a markup core engine to provide functionality and a delegate that performs less than all processing associated with provided functionality. Furthermore, because Gessner fails to teach or suggest *participation*, where at least one component delegating a portion that is less than all of a processing of the behaviors of the same category to the core engine, it follows that Gessner also fails to teach or suggest an output medium to render and layout based on the *participation* between a core engine and an external component. Gessner, at col. 3, l. 4–col. 4, l. 2, expressly teaches that the software delegate controls the manifestation of content. There is nothing in Gessner that expressly or implicitly teaches or suggests the claimed *participation* during manifestation of content.

Similarly AAPA fails to describe or suggest the claimed participation between a core engine and an external component. The AAPA describes limited extension methods similar to Gessner, where there is <u>no</u> *participation* among the core and the external component when implementing behaviors associated with layout or rendering. AAPA describes three prior art solutions to extending layout and rendering functionality for a core engine: plugins, DHTML, and OLE. Further, AAPA distinguishes each of the three solutions and specifies the problem with each prior art solution. As indicated in AAPA, at page 2, ll. 15–20; and page 3, ll. 12–15 and 18–21; the solutions do <u>not</u> provide *participation* or *delegation*. Hence, AAPA does not teach or suggest an external component *participating* with the core engine. Moreover, AAPA

and Gessner fail to teach or suggest an external component layout behavior and an external component rendering behavior that is an attached behavior or an element behavior.

Both AAPA and Gessner describe extension solutions that do not enable participation between the core engine and external component when implemented behaviors for rendering and organizing visual elements. Thus, the combination of Gessner and AAPA fails to fairly teach or suggest all elements of independent claims 1 and 28.

Unlike AAPA and Gessner, the invention of independent claims 1 and 28 extend core functionality via external components that perform less than all processing associated with rendering and organize visual elements on an output medium based on participation between the core engine and the external component. The participation between the core engine and the external component of independent claims 1 and 28 allows the core engine and the external component to share processing associated with rendering and layout behaviors. Accordingly, for at least the above reasons, the 35 U.S.C. § 103(a) rejection of independent claims 1 and 28 should be withdrawn, and claims 1 and 28 are should be allowed.

C.)   Obviousness Rejection Based on Gessner in view of AAPA and U.S. Patent No. 6,161,126 ("Weis").

Claims 2–3, 7–10, 12, 13, 15, 16, and 29 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Gessner in view of AAPA and Weis. Applicant respectfully traverse this rejection because the prior art fails to fairly teach or suggest all elements of claims 2–3, 7–10, 12, 13, 15, 16, and 29.

Claims 2–3 and 29 depend from independent claims 1 and 28. As discussed above, Gessner and AAPA fail to fairly teach all the elements of independent claims 1 and 28. Accordingly, claims 2–3 and 29 are patentable over Gessner for at least the above reasons by

Appl. No. 09/677,403
Amdt. Dated 21 August 2007
Resp. to Office Action of 19 April 2007

147845.01/MFCP.87510

virtue of their dependence on independent claims 1 and 28. See 37 C.F.R. § 1.75(c). The

addition of Weis fails to cure the deficiencies of Gessner and AAPA with respect to the elements

of independent claims 1 and 28. As such, withdrawal of the 35 U.S.C. § 103(a) rejection and

allowance of dependent claims 2–3 and 29 are respectfully requested.

It is respectfully submitted that the cited prior art, including Gessner and AAPA, fails to

teach, among other things, *(1) the external component behaviors are an attached behavior or an*

element behavior; *(2) participation includes the at least one external component delegating a*

portion that is less than all of a processing of the core engine behavior; and (2) rendering a

number of layers based on the participation among the external component and the core engine;

as recited in amended independent claim 7.

The Office suggests that Gessner in view of AAPA and Wies renders independent claim

7 unpatentable. Applicant respectfully disagrees. As discussed above, Gessner and AAPA fail

to teach or suggest participation, among an external component and a core engine, includes

delegating a portion that is less than all processing of core engine behavior. Furthermore,

because Gessner and AAPA fails to teach or suggest the claimed participation, it follows that

Gessner and AAPA also fail to teach or suggest rendering a number of layers based on the

participation.

Additionally, Wies fails to remedy the noted deficiencies of Gessner and AAPA. The

Office alleges that Weis, at col. 23, ll. 35–38 and col. 22, ll. 55–57, teaches or suggests the noted

deficiencies. The cited portions of Weis describes a force feedback mouse and corresponding

code segments that configure webpages with force feedback capabilities. Nothing in Weis

suggests rendering a number of layers based on the participation among the external component

and the core engine as recited in independent claim 7. Moreover, Wies in combination with

Gessner and AA fail to teach or suggest an external component behavior that is an attached

behavior or an element behavior. Accordingly, Wies in combination with Gessner and AAPA do

not teach or suggest all elements of the invention of claim 7.

Unlike Gessner, AAPA, and Weis, singularly and in combination, the invention of

independent claim 7 recites a method that extends core functionality via external components

that perform less than all processing associated with rendering and organizing visual elements.

The participation between the core engine and the external component of independent claim 7

allows the core engine and the external component to share processing associated with rendering

and layout behaviors. Accordingly, for at least the above reasons, withdrawal of the 35 U.S.C. §

103(a) rejection and allowance of independent claim 7 is respectfully requested.

Dependent claims 8–10, 12–13, and 15–16 further define novel features of the invention

of independent claim 7 and each depend, either directly or indirectly, from independent claim 7.

Accordingly, for at least the reasons set forth above with respect to independent claim 7,

dependent claims 8–10, 12–13, and 15–16 are believed to be in condition for allowance by virtue

of their dependency. See 37 C.F.R. 1.75(c). As such, withdrawal of the 35 U.S.C. § 103(a)

rejection and allowance of dependent claims 8–10, 12–13, and 15–16 are respectfully requested.

D.)   Obviousness Rejection Based on Gessner in view of AAPA, Weis and U.S. Patent
No. 6,585,777 (Ramaley).

Claims 4–6, 11, and 14 stand rejected under 35 U.S.C. § 103(a) as being unpatentable

over Gessner, AAPA, Weis, and Ramaley et al. As the asserted references, whether taken alone

or in combination, fail to teach or suggest all the elements of the rejected claims, Applicant

respectfully traverses the rejection as hereinafter set forth.

Claims 4–6, 11, and 14 depend from independent claims 1 and 7. As discussed above,

Gessner, AAPA, and Wies singularly and in combination, fail to teach or suggest all the elements

of independent claims 1 and 7. Accordingly, claims 4–6, 11, and 14 are patentable over Gessner,

AAPA, and Wies for at least the above-cited reasons. The addition of Ramaley fails to cure the

deficiencies of Gessner, AAPA, and Wies with respect to the elements of independent claims 1

and 7. As such, withdrawal of the 35 U.S.C. § 103(a) rejection and allowance of dependent

claims 4–6, 11, and 14 are respectfully requested.

139396v2

Appl. No. 09/677,403
Amdt. Dated 21 August 2007
Resp. to Office Action of 19 April 2007

147845.01/MFCP.87510

CONCLUSION

For at least the reasons stated above, claims 1–16 and 28–29 are believed to be in condition for allowance, and an early notice thereof is respectfully requested. If any issues remain that would prevent issuance of this application, the Examiner is urged to contact the undersigned by telephone prior to issuing a subsequent action. It is believed that no fee is due in conjunction with the present response. However, if this belief is in error, the Commissioner is hereby authorized to charge any amount required to Deposit Account No.19-2112 referencing MFCP 87510.

Respectfully submitted,

/Monplaisir Hamilton/

Dated: 21 August 2007.

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139396v2